

## SL 2014-120 Report Toe River Health District

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### Part 1A: On-site Water Protection: Standardize Certain Regulatory Review Procedures

*Reference Session Law 2014-120, Section 29. (b).*

Background: Toe River Health District receives Regulatory Submittals for review under multiple scenarios as provided for in statute and rule. The processes for each type of review are described below.

- I. Systems with design daily flows  $\geq 3,000$  total gallons per day [15A NCAC 18A .1938(e)] or for treatment of industrial process wastewater (IPWW) [15A NCAC 18A .1938(f)].
  - A. Receive application
  - B. Assign staff
  - C. Notify state regarding need for review and convey materials to the State
  - D. Assist the State with processes outlined in Part 1A, Section I of the State report
- II. Design plans and specifications pursuant to Rule .1938(f).
  - A. Receive application
  - B. File a Request for Review describing which elements of the Submittal the OSWP should review.
  - C. Convey the Regulatory Submittal and Request to Review to the OSWP.
  - D. Assist the State with processes outlined in Part 1A, Section II.B of the State report.
- III. Design daily flow review pursuant to Rule .1949.
  - A. Receive application
  - B. File Request for Review for a proposal submitted based on Rule .1949 and convey it to the OSWP with the Regulatory Submittal.
  - C. Assist the State with processes outlined in Part 1A, Section II.A of the State report.
- IV. Design plans and specifications pursuant to Rule .1948(d).
  - A. Receive application
  - B. File Request for Review for a proposal submitted based on Rule .1948(d) and convey it to the OSWP with the Regulatory Submittal.
  - C. Assist the State with processes outlined in Part 1A, Section II.C of the State report.
- V. Design plan and specifications for flow reduction utilizing low-flow fixtures or low-flow technologies pursuant to Session Law 2013-413 or 2014-120.
  - A. Receive application
  - B. Conduct Review
  - C. Provide a response to the Submitting Party that includes:
    - a. An approval of the system engineering plans and specification, or
    - b. A request for revisions that include:
      - (a) A section detailing any required revisions with citation of applicable statute or rules(s);
      - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).

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- c. A request for additional information that includes:
    - (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
    - (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice).
  - D. Submittals may be sent to the State on a case-by-case basis. In those instances, procedures outlined in Section II above apply.
- VI. Any other Regulatory Submittal for on-site wastewater system permitting, including, but not limited to design plans and specifications pursuant to Rules .1938 (d) and (e)
  - A. Receive application
  - B. Assign staff
  - C. Conduct Review
  - D. Consult with OSWP (Regional Soil Scientist and/or State Engineer) as needed
  - E. Provide a response to the Submitting Party that includes:
    - a. An approval of the system engineering plans and specifications, or
    - b. A request for revisions that include:
      - (a) A section detailing any required revisions with citation of applicable statute or rule(s);
      - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).
  - c. A request for additional information that includes:
    - (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
    - (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice).

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### Part 1 B: Food Protection and Facilities: Standardize Certain regulatory Review Procedures

*Reference Session Law 2014-120, Section 29. (b).*

Background: Environmental Health Specialists in the Toe River Health District (TRHD) acting as authorized agents of the Food Protection and Facilities Branch (FPF) review plans for new and renovated individual food service establishments. Plans for construction/renovation of public swimming pools are also reviewed by the TRHD staff acting as agents of the Department with technical assistance from the FPF staff. Plan review checklists are used to assure uniform review for compliance with the rules.

- I. Individual Food Establishment plans (new or renovated)
  - A. Receive application and menu
  - B. Conduct review in accordance with 15A NCAC 18A .2600 and the N.C. Food Code Manual
  - C. Provide a response to the Submitting Party that the plans are either approved or in need of clarification or revision prior to and at intervals during construction.
- II. Prototype Food Establishments to be franchised in multiple counties.
  - A. Receive application and menu
  - B. Forward copy of plans to the Environmental Health Services Branch, NC DPH as required by N.C. Food Code Section 8-201.11 and 8-201.12
  - C. Await/receive approval of plans from EH Services Branch, NC DPH
  - D. Assign/familiarize staff with plans approved by above mentioned agency.
- III. Plans for construction or renovation of Public Swimming Pools
  - A. Receive Application
  - B. Conduct review in accordance with State rules (15A NCAC 18A .2500), and in consultation with State Regional Environmental Health Specialist. A Plan Review Checklist is used to assure all safety requirements and circulation system components are able to meet the water quality requirements.
  - C. The Health Department shall approve or disapprove [providing written comments citing applicable statute or rule(s)] plans and specifications for public swimming pools within 30 days of their receipt. If such action is not taken within 30 days, the plans and specifications shall be deemed approved.

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### **Part 2 A: On-site Water Protection Informal Internal Review Processes**

**and**

### **Procedures to Develop and Maintain a List of Review Engineers**

*Reference Session Law 2014-120, Section 29. (c).*

Toe River Health District does not have local procedures for Informal Internal Review of On-Site Water Protection regulatory submittals filed by a P.E., nor does the District employ a P.E. Furthermore, the District does not maintain a list of private sector consultants. The Toe River District Health Department defaults to the State mechanism for Informal Internal Review as described below.

- I. If a Submitting Party requests an Informal Internal Review of an engineered design, the request will be forwarded to the State in accordance with Part 2A Section III of the State report.
- II. A list of PE's available for Informal Internal Reviews will be provided by the State in accordance with Part 2A Section IV of the State report.

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### **Part 2B: Food Protection and Facilities Informal Internal Review Processes**

**and**

### **Procedures to Develop and Maintain a List of Review Engineers**

*Reference Session Law 2014-120, Section 29. (c).*

Toe River Health District does not have local procedures for Informal Internal Review of Food Protection and Facilities regulatory submittals filed by a P.E., nor does the District employ a P.E. Furthermore, the District does not maintain a list of private sector consultants. The Toe River District Health Department defaults to the State mechanism for Informal Internal Review as described below.

- I. Differences of opinion regarding the interpretation of a rule may be resolved through an informal review as provided in rule 15A NCAC 18A .2676.
- II. If a Submitting Party requests an Informal Internal Review of an engineered design, the request will be forwarded to the State in accordance with Part 2B Section II of the State report.
- III. A list of PE's available for Informal Internal Reviews will be provided by the State in accordance with Part 2B Section III of the State report.

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### Part 3A: Onsite Water Protection Review of Working Job Titles

*Reference Session Law 2014-120, section 29, (h).*

- I. Review of Working Job Titles of all employees on the Toe River District Health Department staff with job duties that include review of Regulatory Submittals.
  - A. Working job titles of all Environmental Health staff in the Toe River District Health Department are reviewed through human resources and current job descriptions. None of the titles include the term “engineer.” All positions and titles of the EH staff subject to review Regulatory Submittals in Toe River District are:
    - a. Environmental Health Supervisor
    - b. Environmental Health Specialist
    - c. Healthy Homes Specialist
    - d. Assistant Preparedness Coordinator

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### **Part 3B: Food Protection and Facilities Review of Working Job Titles**

*Reference Session Law 2014-120, section 29, (h).*

- I. Review of Working Job Titles of all employees on the Toe River District Health Department staff with job duties that include review of Regulatory Submittals.
  - A. Working job titles of all Environmental Health staff in the Toe River District Health Department are reviewed through human resources and current job descriptions. None of the titles include the term “engineer.” (See page 6 for all positions and titles subject to review Regulatory Submittals in Toe River Health District.)